want of a uniform law of inheritance and succession among them and added that his community unanimously wished for the introduction of Makkathayam law which had already received authoritative recognition from the High Court. There were conflicting decisions in the Chengannur Munsiff's Court and elsewhere, and it was essential that the law in that respect should be laid down beyond doubt or dispute. He also requested that a Pulaya Member might be nominated to the new Legislative Council.

*Dewan's reply.*—The High Court have expressed the opinion that there is no necessity to legislate for the Pulayas at present. The High Court have not given reasons, but apparently what is in the mind of the High Court is that Pulayas have just begun to possess property, and they will have to wait for some time more for a law for the devolution of their property. I understand that there have been already two rulings by the High Court laying down that the law of inheritance among Pulayas is Makkathayam. The Member does not seem to be right when he says that there have been conflicting decisions in the matter. Mr. Subba Aiyar, the Additional Head Sirkar Vakil, says that both the rulings are to the effect that the law governing the inheritance of Pulayas is the Makkathayam law, and that there is no inconsistency in the decisions of the High Court. With regard to the conflicting decisions in the Chengannur Munsiff's Court, referred to by the Member, I would say that it is the High Court alone that can lay down case law. My advice to the Member is that the community should wait for a couple of years, and some one on behalf of the community should then bring up this question before the new Legislative Council. This is a matter in which a private Bill is more suitable than a Government Bill. The Member's request for the nomination of a Pulaya member in the new Council is noted.

**26. Desirability of bringing into line with Mahomedan law the customary law of succession and inheritance obtaining among certain classes of Mahomedans in the Quilon and Chirayinkil Taluks following the Marumakkathayam system of inheritance.**

*Mr. E. Mahomed Kunju* (Member, Nominated) said that a section of Mahomedans belonging to the Shafi sect of Sunnis and living in Paravur and Mayyanad in the Quilon taluk and in Edava, Odetti and other places in the Chirayinkil taluk were now following the Marumakkathayam law of inheritance on the strength of custom which was repugnant to the teachings of the Koran and unsuitable to modern conditions. There were cases in which parties had entered into registered agreements renouncing the Marumakkathayam law and proposing to be governed by the ordinary Mahomedan law, but such agreements were not binding on the parties, because they were not legally enforceable. Further, several meetings had been held and resolutions passed in favour of the adoption of Mahomedan law by the community affected. On those grounds he urged that the Government might pass a law declaring them to be governed by the ordinary Mahomedan law. The Member also suggested the appointment of a Committee to investigate the matter, if Government thought it necessary to do so, and said that the operations of such a Committee would not involve any loss of time or money, since the community concerned was very small and living in compact villages.

*Dewan's reply.*—This again is a matter of social legislation and is one that ought to be brought up in the form of a private Bill before the Legislative Council. But if the intervention of Government is sought, Government should be satisfied that there is, though not a concensus of opinion in favour of a change in the system of inheritance, a widespread feeling at least in the community to that effect. Unless Government have some evidence of such widespread feeling, Government would not be justified in incurring the expenditure involved in the appointment of the Committee suggested by the Member.

*Member.*—If a Committee is appointed, it can collect evidence in two weeks.

*Dewan.*—By way of justification of the appointment of a Committee, evidence should be produced to show that the desire is widespread and general. Otherwise, Government will not be justified in incurring the expenditure involved in appointing a Committee. The very fact that the community is not very numerous and lives within

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narrow limits should enable gentlemen like the Member who are interested in the community to produce evidence easily to show that the feeling is widespread.

*Member.*—I shall submit a memorial.

*Dewan.*—You must first of all satisfy Government by means of evidence that there is a general feeling in the community on this point.

**27. Jenmies and Kudians; some defects in the existing Regulation and suggestions for remedying them.**

*Mr. Nilakantaru Nilakantaru* (Member, Jenmi, Kottayam Division) urged that early steps might be taken for the Bill amending the Jenmi and Kudiyan Regulation, which had already been promised by Government, being introduced into the Legislative Council, as the existing Regulation, V of 1071, did not satisfy either the Jenmies or the Kudiyans. He pointed out that the provisions of the Land Conservancy Regulation had been misapplied in the case of Jenmies and Kudiyans by low-paid revenue officials, which resulted in hardship to both parties. The banks of rivers which had all along been under occupation, but which at the time of the Settlement were not registered in the names of the occupants, were now declared *poramboke* and the Jenmies who had demised the adjoining lands on Kanom to Kudiyans could not consequently recover the *pattom* and *michavarom* due to them from the latter in full. He instanced a portion of the land belonging to the Puzhakkara temple in the Muvattupuzha taluk as having been recently declared *poramboke* in the face of evidence to the contrary. The Member prayed for relief from this kind of trouble.

*Dewan's reply.*—The Member has not made any mention of *poramboke* proceedings in the memorandum of subjects which he has submitted. I have already given my reply on this point in answer to representations made by other Members. In regard to the Jenmi and Kudiyan Regulation, I am sorry that my expectations have not been realised. At the last session of the Assembly I said that we would be in a position to introduce the Bill in the Council in a few months. But both Mr. Subba Aiyar and the Government have had so much of urgent legislative work to get through that this Regulation has had necessarily to wait. The Bill will be introduced soon after the new Legislative Council is formed. Under the rules, the Bill will be published in advance in the Gazette for information and public criticism.

**28. Undesirability of abolishing the Magistrate's Court at Tovala.**

*Mr. Kanakku Maharaja Pillai Sivatanu Pillai* (Member, Tovala Taluk) said that in the Tovala taluk there were formerly three Magistrates' Courts, viz., those at Azhakiapandipuram, Aramboly and Bhutapandi, while at present there was only one Magistrate's Court, viz., that at Bhutapandi. If this Magistrate's Court was also to be abolished, it would result in great hardship to the people, as the people of Tovala would have to travel about 20 miles to reach Nagercoil which would then be the nearest Magistrate's Court for them. The Member, therefore, requested that, if it was finally decided to abolish the Magistrate's Court at Bhutapandi, at least a Munsiff-Magistrate's Court might be established there, as also a Village Panchayat Court and a Bench Magistrate's Court when the Magisterial work was found heavy.

*Dewan's reply.*—In regard to the request for a Munsiff's Court, Government will consult the High Court. In regard to the Magistrate's Court, Government have not yet settled the question of re-distribution of taluks finally, and your representation in the matter will receive due consideration.

**29. Undesirability of distributing the magisterial work of the Nedumangad taluk among the Magistrates of other taluks.**

*Mr. M. Subrahmanya Pillai* (Member, Nedumangad Taluk), while feeling gratified at the action of Government in having granted an English school to the people of Nedumangad and removed the confusion in the matter of the registry of *puduvals* there, expressed dissatisfaction at the proposed abolition of the Magistrate's Court in that taluk. The taluk had 16 *pakuthies* containing over a lakh and eleven thousand inhabitants, and the people were groaning under difficulties in respect of civil suits.

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